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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|---------------------------|
| 10/828,701 | 04/21/2004 | Kazuro Okuzawa | MAT-8173US1 | 5384 |
| 23122 | 7590 | 10/30/2006 | EXAMINER | |
| RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980 | | | | DABNEY, PHYLESHA LARVINIA |
| ART UNIT | | PAPER NUMBER | | |
| | | | | 2615 |

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|--------------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/828,701 | OKUZAWA ET AL. |
| | Examiner Phylesha L. Dabney | Art Unit 2615 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 7/27/06.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3 and 8-10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/27/06.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

This action is in response to the Appeal Brief filed on 27 July 2006 in which claims 1-3 and 8-10 are pending, and claims 4-7 were cancelled.

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sone (U.S. Patent No. 5,432,758), in view of Ikeda (EP 0 016 984 A1).

Regarding claims 1 and 8, Sone teaches a manufactured electro-acoustic transducer comprising the steps of: providing a frame (4, 40); forming an adhesive layer on the frame (col. 5 lines 37-39); forming a frame-magnet laminate by disposing a magnet (26, col. 5 lines 37-39) on the frame with the adhesive layer in between; and disposing a diaphragm (30) above said magnet.

Sone does not specifically teach the adhesive material used to attach the electrical components, i.e. magnet, heatsinks, etc.

Ikeda teaches using UV and heat curing adhesive to bond/attach via applying the adhesive to the surfaces, using UV light (page 6 lines 1-25) to cure crept out adhesive to secure

Art Unit: 2615

components to the frame/board, and applying a secondary curing system, such as heat, for curing areas of the adhesive where the UV missed (page 6 line 25). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a heat and UV curing adhesive for quick setting and insuring complete cure in the assembly process.

Regarding claims 2 and 9, the combination teaches a case (28) is integrally molded with the frame (4), further comprising a step of bonding a resonance case (2) to the case integrally molded with the frame.

Regarding claims 3 and 10, the combination teaches the resonance case (2) is provided with a sound hole (fig. 1).

2. Claims **1-3** and **8-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sone (U.S. Patent No. 5,432,758), in view of Information Disclosure Statement dated 27 July 2006 Submission (Bayer et al, WO 98/34992; English equivalent 6,200,408).

Regarding claims 1 and 8, Sone teaches a manufactured electro-acoustic transducer comprising the steps of: providing a frame (4, 40); forming an adhesive layer on the frame (col. 5 lines 37-39); forming a frame-magnet laminate by disposing a magnet (26, col. 5 lines 37-39) on the frame with the adhesive layer in between; and disposing a diaphragm (30) above said magnet.

Sone does not specifically teach the adhesive material used to attach the electrical components, i.e. magnet, heatsinks, etc.

Bayer teaches using UV and heat curing adhesive to bond/attach via applying the adhesive to the surfaces, using UV light (abstract; see also col. 2 line 52 through col. 3 line 5 of patent 6,200,408) to cure crept out adhesive to secure components to the frame/board, and applying a secondary curing system, such as heat, for curing areas of the adhesive where the UV missed. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a heat and UV curing adhesive for quick setting and insuring complete cure in the assembly process.

Regarding claims 2 and 9, the combination teaches a case (28) is integrally molded with the frame (4), further comprising a step of bonding a resonance case (2) to the case integrally molded with the frame.

Regarding claims 3 and 10, the combination teaches the resonance case (2) is provided with a sound hole (fig. 1).

Response to Arguments

3. Applicant's arguments with respect to claims 1-3 and 8-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phylesha L. Dabney whose telephone number is 571-272-7494. The examiner can normally be reached on Mondays, Tuesdays, Wednesdays, Fridays 8:30-4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any response to this action should be mailed to:

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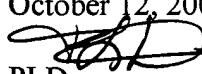
Or faxed to:

(703) 273-8300, for formal communications intended for entry and for informal or draft communications, please label "Proposed" or "Draft" when submitting an informal amendment.

Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 12, 2006

PLD


CHRISTOPHER R. KUNTZ
EXAMINER
ART UNIT 2600